IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

SATURDAY, THE 18TH AUGUST 2007 / 27TH SRAVANA 1929

W.P.(C).No.28124 of 2003(W)

PETITIONER:-

N. ASHOKAN, MANAGER,
VANNERY HIGH SCHOOL, PUNNAYOORKULAM,
PERUMPADAPPA P.O., MALAPPURAM DISTRICT.

BY ADV. SRI.T.SETHUMADHAVAN
SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR

RESPONDENTS:-
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1. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

2. THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

3. THE DIRECTOR OF HIGHER SECONDARY EDUCATION,
THIRUVANANTHAPURAM.

BY SPECIAL GOVERNMENT PLEADER SRI.C.T.RAVIKUMAR.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

\W.P.(C).NO.28124 OF 2003

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 - TRUE COPY OF THE ORIGINAL LIST OF HIGHER SECONDARY SCHOOLS SANCTIONED IN THE MALAPPURAM DISTRICT BY THE 1ST RESPONDENT PUBLISHED DATED 26.7.2000.

EXT.P2 - TRUE COPY OF THE ORDER G.O.(MS) NO.113/2002/G.EDN. DATED 18.05.2002 ISSUED BY THE 1ST RESPONDENT.

EXT.P3 - TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE HON'BLE MINISTER OF EDUCATION, GOVERNMENT OF KERALA, TRIVANDRUM (R1) DATED 4.7.2003.

RESPONDENT'S EXHIBITS:-
--- NIL.

(True copy)

H.L.DATTU, C.J. & K.T.SANKARAN, J.

W.P.(C) No.28124 of 2003

Dated, this the 18th day of August, 2007

JUDGMENT

H.L.Dattu, C.J.

Petitioner is the Manager of Vannery High School, Punnayoorkulam. In this petition filed under Article 226 of the Constitution of India, the petitioner seeks the following reliefs:

> "i) issue a writ of mandamus or any other appropriate writ, order or direction, directing the 1st respondent to sanction Higher Secondary Division to the petitioner's High school based on the recommendation made in Exhibit P2.
>
> ii) issue a writ of mandamus or any other appropriate writ, order or direction, directing the 1st respondent to take up Exhibit P3 and to dispose of the same after hearing the petitioner; and
>
> iii) to grant such other reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case."

(2) Even before approaching this Court, the petitioner had gone before the respondents by filing a representation dated 4.7.2003. It is the grievance of the petitioner before this Court that the said representation is not yet considered by the respondents, and therefore, he requests us to issue appropriate direction to the respondents.

(3) An aggrieved person is before the respondents for consideration of his representation. That representation requires to be considered by the respondents within a reasonable time. Since that has not been done an appropriate direction requires to be issued.

(4) Accordingly, the following:

Order

i) The writ petition is disposed of.

ii) The second respondent is directed to consider the representation of the petitioner dated 4.7.2003, if it is available in his files, in accordance with law.

Ordered accordingly.

(**H.L.DATTU)**
CHIEF JUSTICE

(K.T.SANKARAN)
JUDGE

vns